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Santa Clara County

STEVE HEMINGER
Executive Director

ANDREW B. FREMIER
Deputy Executive Director

Bay Area Toll Authority (BATA) MINUTES
September 23, 2009
Lawrence D. Dahms Auditorium
101 8th Street, 1st Floor
Oakland, California

Attendance

Vice Chair Tissier convened the meeting at 9:36 a.m. In addition to Commissioner Tissier, the following Authority members were in attendance:

Tom Bates, Dean Chu, Dave Cortese, Chris Daly, Bill Dodd, Dorene Giacopini, Federal Glover, Anne Halsted, Steve Kinsey, Jake Mackenzie, Bijan Sartipi, Jim Sperring, Amy Rein Worth, and Ken Yeager.

Closed Session

Open Session – Mr. Francis Chin, General Counsel, reported that there was no action taken during closed session but would request that an action be taken on item #8, on the revised agenda, Contract Amendment – Special Litigation Counsel.

Consent Calendar

The Authority unanimously approved the following items on the Consent Calendar:

- Minutes of the July 22, 2009 Authority meeting.

Resolution No. 86, Revised, BATA Budget

BATA Oversight Chair Bill Dodd, requested the Authority to approve BATA Resolution No. 86, revised which designates a liability reserve of \$3,000,000 to cover litigation and other legal issues and authorizes a budget of \$2.0 million against the reserve.

The motion was unanimously approved by the Authority, as requested.

Contract Amendment – Special Litigation Counsel: Orrick, Herrington & Sutcliff

BATA General Counsel, Francis Chin requested the Authority to approve \$2,000,000 to enter into a contract with Orrick, Herrington & Sutcliff to act as a special litigation counsel.

The motion was unanimously approved by the Authority, as requested.

Public Comment/Other Business/Next Meeting/Adjournment

There being no further business, Vice Chair Tissier adjourned the meeting at 10:17 a.m.